

EXHIBIT 27

**REDACTED VERSION OF
DOCUMENT SOUGHT TO BE
SEALED**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

Case

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

1

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VIDEOTAPED DEPOSITION OF GAETAN PENNECOT

VOLUME III (PAGES 275 to 478)

FRIDAY, JUNE 16, 2017

Reported by:

Anrae Wimberley

CSR No. 7778

Job No. 2641228

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1 your design of the Fuji transmit boards? 15:20:01
2 A. No. 15:20:01
3 Q. I'd like to stay with that last screenshot we 15:20:06
4 were looking at in Exhibit 1063. 15:20:12
5 How is the laser diode placed on the board 15:20:16
6 with respect to the board's edge in Fuji? 15:20:19
7 A. It is [REDACTED]. 15:20:23
8 Q. And [REDACTED]? 15:20:28
9 A. [REDACTED] 15:20:31
10 Q. Who at Uber was responsible for designing 15:20:36
11 that [REDACTED] for Fuji? 15:20:40
12 A. I was. 15:20:40
13 Q. And what's the purpose of the [REDACTED]? 15:20:46
14 A. So there's a few reasons to that. [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] And that 15:21:08
18 would be the main reason for that. 15:21:11
19 Also, [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] 15:21:42
25 Q. You mentioned that [REDACTED] 15:21:44

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1 [REDACTED] [REDACTED]

2 [REDACTED] 15:21:47

3 A. That would be [REDACTED]. 15:21:49

4 Q. Is [REDACTED]? 15:21:53

5 A. It is an [REDACTED] 15:21:55

6 Q. Why did you choose to [REDACTED] [REDACTED]
[REDACTED] 15:22:02

7 A. Because I -- I have done it from experience. 15:22:06

8 Q. Did Mr. Levandowski provide any input on the 15:22:11

9 [REDACTED] ? 15:22:16

10 A. No. 15:22:16

11 Q. Now, you said you had experience doing -- 15:22:20

12 [REDACTED]. 15:22:23

13 Where did you have that experience? 15:22:25

14 A. Back at Google. 15:22:27

15 Q. Was there a LiDAR at Google in which you used 15:22:31

16 [REDACTED] ? 15:22:35

17 A. GBR. 15:22:35

18 Q. And at Google, who came up with the 15:22:42

19 [REDACTED] ? 15:22:45

20 A. I did. 15:22:47

21 Q. How did you decide that [REDACTED] [REDACTED]
[REDACTED] ? 15:22:52

22 A. So I called [REDACTED], which was the first 15:22:58

23 supplier at Google. And they were [REDACTED] 15:23:03

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And I chatted with Pierre about it for [REDACTED]

15:23:27

not too long, and decided that it would be the -- we [REDACTED]

15:23:35

would use [REDACTED]

15:23:39

8

Q. Let me break that down a bit.

9

You said you chatted with a vendor called [REDACTED]

15:23:43

10

[REDACTED]?

15:23:43

11

A. [REDACTED].

15:23:47

12

Q. [REDACTED].

15:23:47

13

And you said they were [REDACTED]

[REDACTED]

14

[REDACTED] --

15:23:53

15

A. [REDACTED]

15:23:55

16

Q. And that's [REDACTED]?

15:24:01

17

A. Yes.

15:24:01

18

Q. And you mentioned [REDACTED].

15:24:04

19

What does that refer to?

15:24:06

20

A. That would be [REDACTED]

[REDACTED]

21

[REDACTED]

[REDACTED]

22

[REDACTED]

15:24:19

23

Q. You also mentioned [REDACTED].

15:24:21

24

What does that refer to?

15:24:25

25

A. [REDACTED]

15:24:27

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1 Q. So you said the [REDACTED] [REDACTED]
[REDACTED] ? 15:24:39

3 A. This is correct, according to the specs of 15:24:43
4 dimension. 15:24:43

5 Q. And how did that guide your decision to use 15:24:46

6 [REDACTED] ? 15:24:49

7 A. I wanted [REDACTED]. 15:24:52

8 Q. Why did you want [REDACTED] [REDACTED]
[REDACTED]? 15:24:58

10 A. Because [REDACTED] [REDACTED]

12 Q. Was it important that [REDACTED] [REDACTED]
[REDACTED] 15:25:15

14 A. No. 15:25:15

15 Q. Why not? 15:25:16

16 A. [REDACTED] 15:25:24
17 It doesn't really matter. 15:25:26

18 Q. Why wouldn't it matter? 15:25:29

19 A. Because we need to [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] 15:26:03

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1 Q. How long did it take you to [REDACTED] [REDACTED]
[REDACTED] 15:26:09

3 A. Maybe ten minutes for a phone call with [REDACTED] 15:26:12

4 [REDACTED] and then five minutes' discussion with Pierre, [REDACTED] 15:26:17

5 make sure that he was okay with it. 15:26:20

6 Q. And was that it? 15:26:23

7 A. Yes. 15:26:25

8 Q. In total, it took 15 minutes to come up with [REDACTED] 15:26:31

9 [REDACTED] ? 15:26:35

10 A. Yes. 15:26:35

11 Q. Did you do any testing to arrive at the [REDACTED] 15:26:37

12 [REDACTED] ? 15:26:40

13 A. No. 15:26:40

14 Q. And why not? 15:26:43

15 A. Because we tried once and it worked from the [REDACTED] 15:26:47

16 start. 15:26:47

17 Q. Did you rely on any data to find [REDACTED] [REDACTED]
[REDACTED] ? 15:26:53

19 A. I mean, [REDACTED] 15:27:00

20 no. 15:27:00

21 Q. Did anyone at Google tell you that a [REDACTED] 15:27:07

22 [REDACTED] is a trade [REDACTED] 15:27:11

23 secret? 15:27:12

24 MR. JAFFE: Objection; form, calls for a legal [REDACTED] 15:27:14

25 conclusion. 15:27:15

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1 THE WITNESS: No. 15:27:16

2 BY MR. MUINO: 15:27:16

3 Q. Did anyone at Google tell you that a 15:27:18

4 [REDACTED] was in any way proprietary to 15:27:24

5 Google? 15:27:26

6 MR. JAFFE: Same objection. 15:27:27

7 THE WITNESS: No. 15:27:28

8 BY MR. MUINO: 15:27:28

9 Q. Did you think that this [REDACTED] 15:27:29

10 was a significant technological development at the 15:27:33

11 time? 15:27:34

12 MR. JAFFE: Objection; form. 15:27:35

13 THE WITNESS: No. 15:27:36

14 BY MR. MUINO: 15:27:36

15 Q. Why not? 15:27:37

16 A. Because [REDACTED] [REDACTED] 15:27:42
[REDACTED]

18 MR. MUINO: Why don't we go off the record. 15:27:47

19 THE VIDEOGRAPHER: This is the end of Disc 2 in 15:27:49

20 Volume III in the deposition of Mr. Pennecot. The 15:27:53

21 time is 3:27. 15:27:55

22 (Recess taken.) 15:38:21

23 THE VIDEOGRAPHER: We are back on the record. 15:38:32

24 This is the beginning of Disc 3 in Volume III in the 15:38:36

25 deposition of Mr. Pennecot. It is 3:38. 15:38:40

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1 CERTIFICATE OF DEPOSITION OFFICER

2 I, ANRAE WIMBERLEY, CSR NO. 7778, duly authorized
3 to administer oaths pursuant to Section 8211 of the
4 California Code of Civil Procedure, hereby certify
5 that the witness in the foregoing deposition was by me
6 sworn to testify to the truth, the whole truth and
7 nothing but the truth in the within-entitled cause;
8 that said deposition was taken at the time and place
9 therein stated; that the testimony of said witness was
10 reported by me and was thereafter transcribed by me or
11 under my direction by means of computer-aided
12 transcription; that the foregoing is a full, complete
13 and true record of said testimony; and that the
14 witness was given an opportunity to read and correct
15 said deposition and to subscribe same.

16 I further certify that I am not of counsel or
17 attorney for either or any of the parties in the
18 foregoing deposition and caption named, nor in any way
19 interested in the outcome of the cause named in said
20 caption.

21 IN WITNESS WHEREOF, I have hereunto subscribed by
22 my hand this 18th day of June, 2017.

23 
24

25 ANRAE WIMBERLEY, CSR NO. 7778